

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EARL HENNING,	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 09-4282
v.	:	
	:	
SUAREZ CORPORATION INDUSTRIES,	:	
INC. (Improperly pled as BIOTEC	:	
RESEARCH)	:	
	:	
Defendant.	:	

**ORDER**

AND NOW, this 4th day of May, 2010, upon consideration of Defendant's Motion to Dismiss the Complaint Due to Improper Venue or, in the Alternative, to Transfer Venue to the United States District Court for the Middle District of Pennsylvania (Doc. No. 4), Plaintiff's Brief Contra Defendant's Motion to Dismiss or in the Alternative to Transfer Venue (Doc. No. 6), Defendant's Reply Brief in Further Support of Motion (Doc. No. 7) and Exhibits (Doc. No. 8 and 9), Plaintiff's Supplemental Brief Contra Defendant Suarez Corporation's Motion to Dismiss/Transfer Venue on March 1, 2010 (Doc. No. 19), and Defendant's Supplemental Brief in Further Support of Motion (Doc. No. 20) and Exhibits (Doc. No. 21 & 22), it is hereby ORDERED that Defendant's Motion is GRANTED IN PART and DENIED IN PART as follows:

1. Defendant's Motion to Transfer for Lack of Venue is GRANTED;
2. Defendant's Motion to Dismiss for Lack of Venue is DENIED;

3. This case shall be TRANSFERRED to the United States District Court for the Middle District of Pennsylvania and the Clerk of Court is Ordered to make the transfer.

BY THE COURT:

/s/ Joel H. Slomsky, J.  
Joel H. Slomsky, J.